

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

SALVADOR CASTILLO, III,

Plaintiff,

v.

WILLIAM H. CRABEL,

Defendant.

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SA-14-CA-613-OLG (HJB)

**ORDER RESETTING
HEARING**

The matters before the Court are Defendant's Motion to Compel (Docket Entry 69) and Plaintiff's Emergency Opposed Motion for Protection, to Strike, and to Extend Time to Respond (Docket Entry 70). Dispositive pretrial matters have been referred to the undersigned for recommendation pursuant to Western District of Texas Local Rule CV-72 and Appendix C. (*See* Docket Entry 30.)

It is hereby **ORDERED** that these motions are reset for hearing at **2:00 P.M. on February 20, 2015**, in Courtroom C on the 4th Floor of the John H. Wood, Jr., United States Courthouse, 655 E. César E. Chávez Boulevard, San Antonio, Texas, 78206. This hearing has been reset pursuant to Plaintiff's counsel's Vacation Notice entered into record on December 11, 2014. (*See* Docket Entry 60.)

Counsel for both parties are hereby placed on notice that they should be prepared to discuss the propriety of awarding expenses at the hearing, including attorney's fees. *See, e.g.*, FED. R. CIV. P. 37(a)(5)(A) (expenses to be awarded if motion to compel is granted), 37(a)(5)(B) (expenses to be awarded if motion to compel is denied), 37(a)(5)(C) (expenses may be apportioned if motion is

granted in part and denied in part); *see also* FED. R. CIV. P. 26(b)(3)(C), (c)(3) (citing Rule 37(a)(5)); FED. R. CIV. P. 30(d)(3)(C) (same); FED. R. CIV. P. 36(a)(6)(same); *cf.* FED. R. CIV. P. 45(c),(e).

Should counsel for the parties resolve the matters raised in the motions in advance of the hearing, they must advise the Court **on or before noon on February 19, 2015.**

It is so **ORDERED.**

SIGNED on February 11, 2015.



Henry J. Bemporad
United States Magistrate Judge